

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

TRICKETT REALTY TRUST,

Plaintiff,

v.

C.A. NO.: 1:09-cv-11730-NG

BROAN-NUTONE LLC,

Defendant.

STIPULATION TO AMEND COMPLAINT

Pursuant to Rule 15(a)(2), of the Federal Rules of Civil Procedure, the parties hereto hereby stipulate that plaintiff may file and serve an Amended Complaint in the form attached hereto as Exhibit "A".

TRICKETT REALTY TRUST
By its attorneys,

/s/ Steven K. Gerber
Steven K. Gerber, Esquire (PHV)
1900 Market Street
Philadelphia, PA 19103
(215) 665-2088 tel.
(215) 701-2088 fax
sgerber@cozen.com

Patrick Loftus, III, Esquire
BBO #303310
No. 9 Park Street
Suite 500
Boston, MA 02108
Tel.: 617-723-7770
soxdctr@aol.com

BROAN-NUTONE, LLC,
By its attorneys,

/s/ Christopher A. Duggan (with permission)
Christopher A. Duggan (BBO No. 544150)
Tamara Lee Ricciardone (BBO No. 562203)
Andrew D. Black (BBO No. 669839)
Smith & Duggan LLP
Lincoln North, 55 Old Bedford Road
Lincoln, MA 01773
(617) 228-4400
Chris.Duggan@SmithDuggan.com
TRicciardone@SmithDuggan.com
Andrew.Black@SmithDuggan.com